

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RYAN RIVA,

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Plaintiff,

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VERSUS

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CIVIL ACTION NO. 4:15-cv-03002

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SCHLUMBERGER TECH CORP.,

*

JUDGE KENNETH M. HOYT

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Defendant.

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JOINT MOTION TO APPROVE SETTLEMENT AND DISMISS CASE

Plaintiff, Ryan Riva (“Plaintiff”), and Defendant, Schlumberger Technology Corporation (“Defendant” or “STC”) (collectively, the “Parties”), by and through their respective attorneys, jointly move the Court to approve the settlement entered between the Parties, which is submitted to the Court for in camera inspection and filed under seal as Exhibit A.¹ In support of the motion, the Parties state as follows:

1. Plaintiff files a lawsuit in the United States District Court for the Southern District of Texas, Houston Division, on October 13, 2015, alleging violations of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 et seq. (“FLSA”), that was styled *Ryan Riva v. Schlumberger Technology Corporation*, Case No. 4:15-cv-03002.

2. Following negotiations between counsel for Defendant and counsel for Plaintiff, the Parties have reached a mutually satisfactory settlement.

¹ The Parties simultaneously filed their Joint Motion for Leave to File Settlement Agreement Under Seal.

3. The Confidential Settlement Agreement and Release of Claims (the “Agreement”) entered into between Defendant and Plaintiff is filed under seal as Exhibit A and is submitted to the Court for in camera inspection.

4. The Parties hereby request that the Court enter an Order approving the Agreement because it is a fair and reasonable resolution of a bona fide dispute between Defendant and Plaintiff over wages. Specifically, there are bona fide disputes as to the number of hours Plaintiff worked, whether he was entitled to overtime under the FLSA, whether Defendant’s actions were willful, and whether Defendant acted in good faith. The Agreement does not represent a compromise of guaranteed rights but of contested rights.

WHEREFORE, for the foregoing reasons, the Parties respectfully request that this Court enter an Order approving the Confidential Settlement Agreement and Release of Claims, as a fair and reasonable resolution of bona fide disputes under the FLSA between Defendant and Plaintiff, and dismiss with prejudice the claims in this lawsuit in their entirety with each party to bear its own costs and attorneys’ fees.

Respectfully submitted, this 16th day of March, 2017.

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that I have caused to be served, this 16th day of March, 2017, a copy of the foregoing Joint Motion to Approve Settlement and Dismiss Case has been sent via electronic mail via the Court's CM/ECF system to:

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